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FM AMCONSUL SAO PAULO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5846
INFO RHEHNSC/NATIONAL SECURITY COUNCIL WASHDC IMMEDIATE
RUEHBR/AMEMBASSY BRASILIA PRIORITY 6902
RUEHRI/AMCONSUL RIO DE JANEIRO PRIORITY 7477
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STATE INR/R/MR; IIP/R/MR; WHA/PD

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TAGS: [KMDR](#) [OPRC](#) [OIIP](#) [ETRD](#) [BR](#)

SUBJECT: GWOP: DETAINEES POLICY; SAO PAULO "Retrogradation In The US"

Leading national circulation daily liberal Folha de S. Paulo (9/30) editorialized: "Affronting the spirit of the US constitution, the American Congress approved a new version of the Detainees Act, thereby giving the President the power to define who the 'enemy fighters' are and take them to special military courts, which may use 'secret' evidences and, in certain cases, obtain confessions through torture. The approval gives President George W. Bush power to determine which interrogatory techniques may be used.... It is evident that such proceedings are unacceptable in the rule of law. After all, all principles that make a judicial system civilized were ignored or at least harshly restricted. What is most disturbing, however, is to recognize that the new package of abominations Bush presented is nothing more than a clumsy attempt to cheat the Supreme Court, which had judged unconstitutional several aspects of the first version of the anti-terrorism act.... Let's hope that the Supreme Court examines once again the Detainees Act, now in its 2006 version, and rejects it. The greatness of the US democracy consists in its checks and balances system."

McMullen